

EXHIBIT 103

Declaration of J. Michael Ortiz

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
CASE NO. 1:14-CV-954**

**STUDENTS FOR FAIR
ADMISSIONS, INC.,**

Plaintiff,

v.

**UNIVERSITY OF NORTH
CAROLINA et al.,**

Defendants.

DECLARATION OF J. MICHAEL ORTIZ

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I, J. Michael Ortiz, hereby make this declaration from my personal knowledge and, if called to testify to these facts, could and would do so competently:

Background

1. In 2014, I retired from my position as the fifth President of California State Polytechnic University, Pomona ("Cal Poly"). I had held that position since 2003.
2. Prior to my appointment as President of Cal Poly, I was a Professor of Education at Appalachian State University and Vice President for Academic Affairs at California State University, Fresno.
3. I received my Doctor of Philosophy degree in Early Childhood Special Education from The University of North Carolina at Chapel Hill's ("UNC-Chapel Hill" or the "University") School of Education. Before coming to UNC-Chapel Hill, I received my Bachelor's and Master's degrees from The University of New Mexico.
4. In 2014, I was awarded the Latina/o Alumnus Award from the Carolina Latina/o Collaborative at the Fifth Annual Latina/o Alumni Reunion. I was also awarded the Distinguished Leadership Award from the College of Education in October 2015. I also recently received the President's Award from Region IV of NASPA, the leading association for student affairs administrators in higher education. I have been named among *Latino Leaders* magazine's "Top 25 Latinos in Education" and was listed as one of the 100 most influential Hispanics in 2005 by *Hispanic Business* magazine.
5. My service activities include the American Council on Education's Commission on Advancement of Racial and Ethnic Equity; the American College & University Presidents Climate Commitment Leadership Circle; the Aspen Institute's Commission on No Child Left

Behind; CSU Presidents' Council on Underserved Constituencies; the Hispanic Association of Colleges and Universities; the United States Department of Defense's Hispanic-Serving Institutions Task Force; and the United States Department of Agriculture's Hispanic-Serving Institutions Collaborative Advisory Board.

Experience in North Carolina

6. I first came to North Carolina as a faculty member at Appalachian State University. No one in the Spanish Department was Latino. All of the faculty members were Anglos who spoke Spanish. Students were able to learn the language but did not get a taste of Latino culture. When students have a limited sample from which they draw perspective, it limits the effectiveness of the teachings.

7. I obtained my Doctorate of Philosophy at UNC-Chapel Hill. Diversity at UNC-Chapel Hill was pretty limited when I was there. There were African-Americans but, for the most part, that was the extent of racial diversity in the student population. I was invited to participate in a program that included 10 students from diverse geographic locations, but here again there were two African Americans and myself with little other racial and ethnic diversity. Since my time at UNC-Chapel Hill, the University has undergone remarkable changes. I have been back to campus several times to work with a Hispanic organization. I have been really amazed by the number and quality of Hispanic students admitted to UNC-Chapel Hill.

Importance of Diversity in Higher Education

8. In my experience, which goes back more than 44 years in higher education, when you have a group of individuals who are all of like mind and experience and come from the same background, you do not get a full picture of what the world is like. We live in a very diverse

world. However, we limit our ability to see the world when we do not consider backgrounds different from our own.

9. In California, we are prohibited by Proposition 209 from considering race in admissions. This has limited the racial and ethnic diversity we and other public institutions in the State are able to achieve. These numbers are changing, however, because of the significant number of college aged students from different ethnic and racial backgrounds.

10. In higher education, we have to consider the type of students we are trying to produce and the type of world we are becoming. California is a majority minority state, but increasing the numbers of underrepresented minorities in higher education is still a challenge. The numbers of minorities in elite institutions like the University of California, Berkeley or Stanford University is abysmal, considering that 70% of students in our public schools are minority.

11. We are part of a world environment, not just part of California, or the United States, or North America. Individuals interact daily with people from a variety of different cultures, and not understanding those backgrounds as part of the educational process puts us at a disadvantage.

12. If students do not see themselves as belonging in higher education, the chances of those students ending up in higher education are very slim. Mentoring students is critical to help students feel that they belong in these institutions. That feeling takes time. That process can be sped up if students see people of similar racial or ethnic backgrounds in higher education. Being a good high school student does not ensure college success, in part, because students may not be able to envision themselves in higher education.

13. Universities can help instill in students that they are capable of success and a significant aspect of this is having like students involved in higher education. We need faculty members, not just students, who are from different cultural, ethnic, and racial backgrounds so students can identify with individuals who have demonstrated success. It is a critical factor, and I do not know of any university that does not try to recruit more minority faculty. However, we need to establish a pathway to attract and prepare more minorities at the doctoral level in top colleges and universities, as the first step toward increasing the number of minority faculty.

14. My experience is completely contrary to the idea that schools like UNC-Chapel Hill are harming minorities by admitting them. College transforms the lives of minorities in a positive way. I have seen in my own family the transformation that occurs when someone goes to college. There is a major transformation that impacts the entire family when one family member graduates from college. Once students get to college and they realize that they have the necessary support to succeed, this realization creates a pattern that siblings and other children will follow.

15. Once we create a sense of belonging, students will demonstrate the abilities to succeed. They understand that as they participate in the learning process, they play an important role by providing different perspectives and sharing different experiences that enhance the conversation. At Cal Poly, many of our students are first-generation college students. They have to overcome significant challenges to adjust to the rigors and the culture of the University, but they get established, and the transformation takes place.

Conclusion

16. As a Latino, higher educational leader, former college president, and friend of UNC-Chapel Hill, I strongly support UNC-Chapel Hill's efforts to enroll a racially and

ethnically diverse group of students in order to provide life-changing opportunities to minority students, their families, and their communities, and to improve the experiences and lives of all students by exposing them to greater diversity in college.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on: July 27, 2017


J. Michael Ortiz